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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,917	04/09/2001	Tuija Hurttä	017.38541X00	8477
20457	7590	09/21/2004	EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-9889			PHAM, THOMAS K	
			ART UNIT	PAPER NUMBER
			2121	

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/827,917

Applicant(s)

HURTTA ET AL.

Examiner

Thomas K Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 01/07/03 04/08/03
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

First Action on the Merits

1. Claims 1-26 of U.S. Application 09/827,917 filed on 04/09/2001 are presented for examination.

Quotations of U.S. Code Title 35

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim Rejections - 35 USC § 102

6. Claims 1-2, 4-10, 13-15, 17-23 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,574,201 ("Kreppel").

Regarding claims 1 and 14

Kreppel teaches providing an announcement in a communications network, comprising: setting up a first level communication session for a first network element (fig. 3 and col. 7 lines 59-67, "The mobile station MT ... the base station system"); determining that an announcement is to be played to the first network element (col. 8 lines 1-19, "In response to a request .. to the service node SGSN"); sending an identity of a second network element which is to play the announcement on said first level communication session (col. 8 lines 20-29, "Via the mobile station MT ... request packet data protocol"); setting up a second level communication session (col. 8 lines 41-46, "The service control function ... switching function SSF"); setting said second level communication session parameters in accordance with the transmitted identity (col. 8 lines 53-56, "The activation of the packet ... the access node GGSN"); and playing the announcement to the first network element (col. 8 lines 56-64, "An acknowledgement to the ... in the service node SGSN").

Regarding claims 2 and 15

Kreppel teaches the transmitted identity comprises an IP (Internet Protocol) address (col. 5 lines 19-21, "any other type of ... Internet protocol (IP), etc.").

Regarding claims 4 and 17

Kreppel teaches the transmitted identity comprises a TA (Transport Address).

Regarding claims 5-8 and 18-21

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Kreppel teaches the communication session comprises a PDP (Packet Data Protocol) Context (col. 8 lines 24-29, "The service switching function ... packet data protocol").

Regarding claims 9 and 22

Kreppel teaches the first network element comprises an MS (Mobile Station) (col. 8 lines 20-24, "Via the mobile station ... dialogue is initiated").

Regarding claims 10 and 23

Kreppel teaches the communication session comprises at least one PDP context (col. 8 lines 24-29, "The service switching function ... packet data protocol").

Claim Rejections - 35 USC § 103

7. Claims 3, 11-12, 16 and 24-25 rejected under 35 U.S.C. 103(a) as being unpatentable over Kreppel in view of U.S. Patent No. 6,621,793 ("Widegren").

Regarding claims 3 and 16

Kreppel teaches providing the communication networks but does not teach the transmitted identity comprises a port number. However, Widegren teaches the port identity (col. 16 lines 34-38, "The direction indicates ... at the GGSN") for the purpose of identifying the source and destination. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the port identity of Widegren with the communication networks of Kreppel because it would provide for the purpose of identifying the source and destination.

Regarding claims 11 and 24

Kreppel does not teach parameters comprising filtering information. However, Widegren teaches the parameters including a packet filtering (col. 7 lines 45-52, "FIG. 14 shows the TFT ... the

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packet filter contents”) for the purpose of ensuring that packets are forwarded in the appropriate GPRS Tunneling Protocol tunnel. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the filtering of Widegren with the communication networks of Kreppel because it would provide for the purpose of ensuring that packets are forwarded in the appropriate GPRS Tunneling Protocol tunnel.

Regarding claims 12 and 25

Widegren teaches filtering information comprise a Traffic Flow Template (TFT) (col. 7 lines 32-44, “A TFT is a packet filter ... may be modified as well”).

Regarding claims 13 and 26

Widegren teaches communication channel parameters are set by including a TA (Transport Address) in a TFT (Traffic Flow Template) (col. 7 lines 45-52, “FIG. 14 shows the TFT ... the packet filter contents”).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (703) 305-7587 or the new number (571) 272-3689 beginning around mid. October 2004, Monday - Friday from 8:00 AM - 5:00 PM EST or contact Supervisor *Mr. Anthony Knight* at (703) 308-3179 (or 571 272-3687 starting around mid. Oct. 2004).

Any response to this office action should be mailed to: **Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450**. Responses may also be faxed to the **official fax number (703) 872- 9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas Pham
Patent Examiner

TP

September 17, 2004



Anthony Knight
Supervisory Patent Examiner
Group 3600